

Explanatory Statement

**Proposed Text Change to Amend
§4-5, §5, & §32-26**

Purpose/Benefits

To help address the growing need for (a) diverse housing options, (b) the elimination of commercial uses within residential districts, and (c) the preservation and adaptive reuse of historic buildings listed on the Westport Historic Resource Inventory, we are proposing to amend:

- §4-5 by adding language to exempt (new) §32-26 from the Maximum Allowable Multi-Family Dwellings,
- §5 by adding a new definition for Below Market Rate Housing Units, and
- §32 by adding a new section and standards for adaptive reuse and redevelopment of nonresidential buildings to housing.

In conjunction with the proposed Text, we are submitting applications for Special Permit and Site Plan approval. The site, which is currently the only applicable site for this text, is a 2.4-acre split-zoned property in the Residence-A and Residence-B districts. It is situated in a residential neighborhood near the east bank of the Saugatuck River with frontage on Richmondville Ave and Millbank Road. It is currently improved with a 3-story commercial/industrial building, parts of which are 200 years old. The building is comprised of 55,310± square feet of commercial/industrial space, primarily dedicated to office use with over 100 parking spaces and loading areas. With the implementation of this text change, applicants will have an opportunity to adaptively reuse/redevelop the building and site to create 32 condominium units and one superintendent unit. Further details of the proposed building and site plans are provided in the accompanying application.

The changes also serve to address several goals and strategies highlighted in the Westport Plan of Conservation and Development, including:

1. Things to Protect, 3.5. POCD Approach, p. 22
 - Things Westport wants to protect or preserve in the future (i.e. - natural resources, water re- sources, historic resources, and town character)
2. 4.2 Protect Historic Buildings and Sites, p. 25
 - Support the preservation of historic resources.
 - Where appropriate, establish zoning regulations which will help protect historic resources including use flexibility, adaptive reuse of historic buildings, dimensional flexibility, and/or other approaches.
 - Encourage “sensitive ownership” of historic structures and sites by private owners.
3. 4.3 Promote Good Design, A Community Design, p. 30
 - Maintain an architectural review process to help preserve and enhance the character of Westport and maintain the overall “sense of place.”
4. 10.1 Overview (“Westport’s wide variety of housing types from modest homes and historic structures to grand manor homes is one of its strongest features.”), p. 79.
5. 10.2 Maintain Residential Character, p. 80

- Protecting residential neighborhoods from encroachment by inappropriate uses, and
- Managing residential development and redevelopment and other activities on residential properties to ensure they are appropriate for the site and/or given the impacts on neighbors.

6. 10.4. Monitor Changing Housing Needs, p.85

- Seek ways to address changing housing needs while maintaining the character and integrity of Westport.
- Consider ways of integrating affordable and workforce housing in future projects.
- Support and encourage non-profit organizations that help address housing needs in ways that maintain the character and integrity of Westport.

Summary of Proposed Text Changes

The following summarizes the proposed changes and their potential application on the Demonstration Site. Please note that certain language, appearing in brackets in the accompanying Text Change regulation, may be removed depending on if/how the Planning and Zoning Commission approves the accompanying Special Permit and Site Plan application.

§4-5 Maximum Allowable Multi-Family Dwellings

To encourage and enable the Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing, the proposed section (§32-26) is added to the exemption eligibility listed in §4-5-2. [May be removed if not necessary for Site Plan approval.]

§5 DEFINITIONS

To permit and encourage a variety of affordable housing options, the proposed definition for Below Market Rate Housing units encompasses a range of potential affordability levels to meet different needs. This allows flexibility to accommodate housing needs from extremely low-income on up. When combined with moratoria points pursuant to CGS 8-30g requirements, it gives the Town more tools to meet affordable housing goals.

§32-26 Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing

§32-26.1 ~ §32-26.3 – Outline the purpose and permitted uses of the proposed regulation and its goal for Westport, primarily to adaptively reuse historic buildings, remove commercial uses from residential zones, and encourage diversity of housing options.

§32-26.4 ~ §32-26.8 – Create appropriate height, bulk, density and setback standards while creating flexibility for the design and preservation of historic structures.

- The proposed density of 1,600sf/unit is less intense than other conversion standards found in the Zoning Regulations (i.e. §32-14 “Conversion of School Buildings to Housing” at 800sf/unit) and will allow up to 34 units within the redeveloped building (excluding any additional onsite affordable units, if required).

- The total existing floor area will be maintained but reconfigured to remove non-original building additions and create an efficient and cohesive residential building design that is conducive to residential use. A provision is included to permit required affordable units to be located onsite, exempt from the density and floor area limitations, if necessary. The accompanying Special Permit application requests the ability to provide an offsite satisfaction of affordability requirements.
- Setback and Height standards are included to permit some flexibility of design for the redeveloped building to remain, while protecting against any intensification of existing nonconformities.
- To encourage historic preservation and redevelopment, a building coverage standard is proposed which accommodates the building reconfiguration as well as one-story covered parking spaces typical of residential development for home ownership. A total coverage standard is also proposed, which will reduce the existing site coverage from over 80% to under 70%.

32-26.9 – Refer to applicable signage regulations with proposed design flexibility for preservation of historic structures.

§32-26.10 ~ §32-26.11 – Create appropriate parking, landscaping and buffering standards with references to §34 and §35 with proposed design flexibility to accommodate the preservation of historic structures.

- The parking and drive aisle standards provide design flexibility to reduce impervious coverage by allowing a drive aisle less than 25' in width (to 24'). By comparison, Greenwich's drive aisle requirements range from 20-23'; Stamford 20-24'; Darien 24'; and New Canaan 24'. Requiring one extra foot would mean additional pavement, less green space, and more runoff.
- Landscaping requirements allow design flexibility for sites constrained by the preservation of a nonconforming historic structure and easements limiting the ability to plant certain areas. should the PZC want to see impervious coverage further reduced and buffer areas further increased. The existing site buffers are deficient by current standards and are being significantly increased by the proposed site plan.
- Exemption from certain aspects of the Excavation and Fill limitations will enable necessary revisions to landscaping and/or drainage along property lines. The ability to landscape off the property (in public and/or private rights-of-way) may also be beneficial for neighboring properties or the general public.

§32-26.12 – Apply typical standards for utilities.

§32-26.13 – Ensure appropriate review procedures with specific referral to the HDC and ARB and/or the Joint Committee, where applicable. This will help to allow the applicant the ability to make necessary improvements to the building while respecting the historic structure and surrounding area.

§32-26.14 – Create appropriate standards and requirements for affordable housing to provide for the potential inclusion of onsite Affordable housing as well as the ability for alternate means of compliance, including the creation of offsite housing and/or fee-in-lieu contributions. Such offsite solutions have been proven to be beneficial, or even preferred, by providing increased moratoria points compared to onsite units and/or by serving a greater community need.

§32-26.15 – Propose exemption from the multi-family unit cap for units within historic buildings. This would exempt 24 of the proposed 33 units on the Demonstration Site (as 9 of the units are located wholly or partially within newly constructed portions of the building).

Site Demonstration

Further details of how the proposed regulations could be implemented can be found in the accompanying Special Permit and Site Plan application for a site/building at 41 Richmondville Avenue.